

REMARKS

Claims 1-8, 10 and 13-31 are pending. Claims 1, 5, 8, 14, and 16-20 have been amended; claims 9, 11 and 12 have been canceled without prejudice to or disclaimer of the subject matter found therein; and claims 21-31 added. In addition, the specification has been amended responsive to the objections found on page 2 of the Office Action. It is respectfully requested the objections to the specification be withdrawn.

On page 3 of the Office Action, claims 1-20 were rejected under 35 U.S.C. §112, first paragraph, and 35 U.S.C. §112, second paragraph. Both rejections were applied to specific language found in claim 1. Claim 1 has been amended responsive to the rejections and it is respectfully requested the rejections with respect to claim 1 be withdrawn.

Further, the rejection to claims 1-20 under 35 U.S.C. §112, second paragraph, also identified specific language in claims 5, 8, 11, 17, 18 and 20 as further providing the basis for the rejection. The claims have been amended responsive to the rejection. It is requested that the rejection be withdrawn.

On page 6 of the Office Action, claims 1, 2, 6, 9 and 11-13 were rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over JP 10-193266 (Kenji) and on page 7 of the Office Action, claims 3-5 and 7 were rejected under 35 U.S.C. §103(a) as obvious over the same reference. The rejections are respectfully traversed.

Applicants' claim 1 is directed to a vitrified bond tool, comprising a support body; a vitrified bond layer which is formed on a working surface of the support body; and a plurality of abrasive grains which are held by the vitrified bond layer so as to be fixed relative to the working surface of the support body and which are spaced apart from each other with spacing between adjacent ones of the abrasive grains, wherein the abrasive grains are arranged in a

lattice, at a predetermined pitch between adjacent ones of the abrasive grains, and the abrasive grains cooperate with each other to form a single layer.

Kenji, the Japanese reference, discloses no such thing. Specifically, Applicants' invention calls for the abrasive grains arranged in a lattice at a predetermined pitch between adjacent ones of the abrasive grains and the abrasive grains cooperate with each other to form a single layer. Although Fig. 1(A) of Kenji shows a single layer, as can be seen in Fig. 2(C), the grains do not form a lattice, rather are randomly positioned. Further, Figs. 1(B) and 1(C) show multiple layers and Figs. 4(A) and 4(B) clearly show there is no lattice. Thus, Mitsui et al. neither discloses or suggests Applicants' claimed invention which is clearly supported by Applicants' Figs. 5(a) and 5(b) as well as the method shown in Figs. 1(a)-1(d) and the sections of the specification related thereto. Therefore, claim 1 is allowable over Kenji, as are claims 2-7, 9 and 11-13 depending from claim 1 for the same reasons and the additional features recited therein. It is respectfully requested the rejections be withdrawn.

On page 8 of the Office Action, claims 1, 2, 6, 9 and 11-13 were rejected under 35 U.S.C. §102(a) or (e) or, in the alternative, under 35 U.S.C. §103(a) as obvious over Mitsui et al., U.S. Patent No. 6,312,324, (Mitsui) and on page 9, claims 3-5 and 7 were rejected under 35 U.S.C. §103(a) as obvious over Mitsui. The rejections are respectfully traversed.

Applicants' claim 1 has been described above. Again, Mitsui says nothing about positioning the abrasive grains in a lattice with a predetermined pitch between adjacent ones of the abrasive grains. As such, Mitsui neither anticipates nor suggests the invention of claim 1, or any of the claims depending therefrom for all the reasons discussed above and the additional features recited therein. Therefore, it is respectfully requested the rejection be withdrawn.

It is to be noted that claim 14, the method claim, has been rewritten in independent form by incorporating the subject matter of claim 1, but removing the objected to language. As there

is no rejection of claim 14, it should be in condition for allowance as are claims 15 and 18 depending therefrom.

Added claim 21 is substantially a combination of claims 1 and 10, without the rejected language of claim 1. As claim 10 was not rejected on any grounds other than its dependency from claim 1 under 35 U.S.C. §112, first and second paragraphs, claim 21 should be allowable as should claims 22-31 depending therefrom for the same reasons as well as the additional features recited therein.

On page 10 of the Office Action, claim 1 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,755,720. The rejection is respectfully traversed.

Claim 1 of the applied reference says nothing about the abrasive grains arranged in a lattice, at a predetermined pitch between adjacent ones of the abrasive grains, and the abrasive grains cooperate with each other to form a single layer. The only requirement of claim 1 of the applied reference is that the adjacent abrasive grains be spaced apart from each other but there are the plurality of first abrasive grains and a plurality of second abrasive grains having a different diameter relative to the first abrasive grains. Thus, claim 1 of the reference does not suggest the subject matter of claim 1 of the instant application. Therefore, it is respectfully requested the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-8, 10 and 13-31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Robert A. Miller
Registration No. 32,771

JAO:RAM/kap

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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